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ON PETITION

In re Application of
Davis et al.
Application No. 09/504,239
Filed: February 15, 2000
Attorney Docket No. 60114

This is a decision on the petition under 37 C.F.R. § 1.137(b), filed April 4, 2005, to revive the above-identified application.

The petition is **GRANTED**.

The above-identified application became abandoned for failure to submit the issue fee in a timely manner in reply to the Notice of Allowance mailed November 15, 2004, which set a statutory period for reply of three (3) months. Accordingly, the above-identified application became abandoned on February 16, 2005.

Petitioner has met the requirements to revive the above-identified application pursuant to 37 CFR 1.137(b).

Although a Request for Continued Examination (RCE) was submitted with the instant petition, the issue fee must still be collected at this time. Accordingly, an additional \$1400.00 will be charged to petitioner's deposit account as authorized. If the above-identified application is again allowed, petitioner may request that it be applied towards the issue fee required by the new Notice of Allowance.

In view of the RCE submission, the instant application is withdrawn from issue.

This matter is being referred to Technology Center 2600 for processing of the Request for Continued Examination under 37 CFR 1.114 filed with the instant petition.

Telephone inquiries regarding this decision should be directed to the undersigned at (571) 272-3282.

Liana Chase
Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy

¹ The request to apply the issue fee to the new Notice must be made in writing and should be accompanied by the new Issue Fee Transmittal Form PTOL-85(b), along with a copy of this decision. The request and pertinent attachments should be addressed to **Box Issue Fee**. Additionally, if the issue fee has increased from the previously paid issue fee, the balance due must be submitted. **Failure to request in writing that the previously paid issue fee be applied towards the new Notice and payment of any balance due will result in the abandonment of the application.**